REMARKS/ARGUMENTS

Responsive to the Office Action mailed March 19, 2008:

NON-PRIOR ART MATTERS

The Office Action rejected claim 1 under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

The Office Action states:

> Claim 1 recites "first and second degree of confidentiality," which is not described in detail in the specification. The specification merely recites the claim language and fails to provide further details as to how "first and second confidentiality" is determined and/or used.

Claim 1 has been amended and Applicant submits that amended claim 1 now satisfies 35 USC 112, first paragraph.

The Office Action rejected claim 1 under 35 U.S.C. 112 second paragraph, as being indefinite for failing to particularly point out an distinctly claim the subject matter which applicant regards as the invention.

The first basis of the rejection has been adequately addressed above and has been satisfied.

The Examiner has not expressly rejected claim 8 under item 9 of the Office Action. However, the Examiner discusses claim 8 there. Applicant would like to point out that only claims 1-7 are presently under examination. See Preliminary Amendment dated March 20, 2006.

Claim 1 has been amended herein to removed the "so-called" limitation. Claim 1 has also been amended to remove the intended use objected to by the Examiner.

Claims 4 and 5 have been amended to satisfy antecedent basis for "the third authorization access level."

Claim 1 is not vague and indefinite as to "data previously recorded within the reference server." Applicant is not required to specify the manner (i.e., whether duplicated/copied or moved) of implementing the limitation, as such detail is not claimed.

PRIOR ART MATTERS

The Office Action rejected claims 1-5 under 35 USC 102(e) as being anticipated by Shelest. Applicant respectfully traverses this rejection.

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element.[1] "For a prior art reference to anticipate…every element of the claimed invention must be identically shown in a single reference…These elements must be arranged as in the claim under review."[2] "This standard is very strict. It requires an exact correspondence between the contents of the event and the claim limitations, such that each and every element recited in the claim is present in the anticipatory event."[3]

As to claim 1, Shelest does not disclose first and second auxiliary servers containing data previously recorded within a database of said reference server and respectively provided with a first and second authorization access level.

The Examiner is requested to reference Fig. 4. If the domain name server is authoritative, the left path through the flowchart is followed. In such a case, there is no disclosure of a server other than the domain name server. The sections of the Specification cited by the Examiner also do not disclose all of the elements of claim 1.

Shelest relates to a method for resolving a wide variety of DNS records, and particularly domain name resolution of certain domain names, based on client authentication.

Shelest provides authorized clients with the convenience of domain name resolution, while preserving security by keeping gateways to a private network confidential from unauthorized clients, such as those who may attempt to break through other security measures protecting the private network.

Shelest relates to a completely different object to that of the invention.

The invention allows keeping personal domain names owner data or technical data confidential, i.e., allows not showing for example the name, phone number, or address of a domain name owner.

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[1] *Structural Rubber Prod. Co. v. Park Rubber Co.*, 749 F.2d 707, 223 USPQ 1264 (Fed. Cir. 1984); *Transclean Corp. v. Bridgewood Services, Inc.*, 290 F.3d 1364, 1370, 62 U.S.P.Q.2D (BNA) 1865 (Fed. Cir. 2002).

[2] *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)

[3] *Moy's Walker on Patents, 4th ed.*, § 8.11 (citing *In re Spada*, 911 F.2d 705, 708, 15 U.SP.Q.2D(BNA) 1655 (Fed. Cir. 1990)

As explained in Shelest (Summary of the Invention):

> ...an authoritative name server receives a request for domain name resolution from a client computer. The request for domain name resolution may include client authentication, or, alternatively, the authoritative name server may receive the client authentication at a later point. In either case, if the authoritative name server recognizes the received client authentication as valid, the authoritative server **sends to the client the IP address corresponding to the requested domain name.** Prior to authentication, the authoritative server responds that the requested domain name is unknown.

Thus in Shelest the object of the method is to securely authorize access to a private domain (see Fig. 3 and explanation about "private.company.com"). Shelest does not prevent access to data it **contains**. Indeed, Shelest prevents access to a server (represented by its domain name) and the server is not contained in data owned by the authoritative name server of Shelest (Fig. 4).

In other words, Shelest discloses a way to prevent access to unauthorized clients to protected domain names while the invention prevents access to personal data of the domain name owners, which is clearly not the same thing.

Furthermore, Shelest does not disclose that the data included in first and second auxiliary servers are data issued from the reference server and that these data are spread over both auxiliary servers relative to an authorization access level attributed to the data.

Regarding claim 2, Fig. 4 and accompanying citations also does not disclose a means of duplicating the data contained in the single domain name server.

Regarding claim 3, Fig. 4 and accompanying citations also does not disclose identification means to prevent access to data by terminals not having authorization compatible with first and second authorization access levels.

Regarding claim 4, Fig. 4 and accompanying citations also does not disclose a means for preventing read access from terminals not having access authorization compatible with a third authorization access level.

Regarding claim 5, Fig. 4 and accompanying citations also does not disclose that the third authorization access level has a restrictive effect greater than the restrictive effects produced by the first and second authorization access levels.

Therefore claims 1-5 are patentable over Shelest.

The Examiner has not rejected claims 6 and 7, and therefore Applicant views these claims as deemed to be patentable by the Examiner.

However, in the interest of compact prosecution, Applicant has amended the claims along the lines of claim 1.

For the above reasons, Applicant respectfully requests the allowance of all claims and the issuance of a Notice of Allowance.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 02-3732.

Respectfully submitted,

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By _____

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